

Joseph Horne # V-84328

P.O. Box-5102 (K.V.S.R.)

Delano, CA 93216

PRO-PEP

FILED

FEB 28 2008

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND

United States District Court  
Northern District of California

Joseph Horne  
Petitioner,

Case NO. 4:07-cv-04592-SBA

"Notice of Appeal".

v.

Warden, Robert Harel.

Pursuant to Rule 4(a), Federal Rules of  
Appellate Procedure, Petitioner, Joseph  
Horne, PRO-PEP, hereby appeals from the non-  
Judgment of the District Court Hon. Judge  
Saunders Brown Armstrong. Refusing to or  
just simply not responding to above entitled  
Federal writ of Habeas corpus case.

Filed contemporaneously with this  
Notice of Appeal, Petitioner respectfully submits  
an Application for Certificate of Appealability  
from the District Court.

Date: 1/21/08

Respectfully submitted

By: 

PRO-PEP

**PROOF OF SERVICE BY MAIL**

(C.C.P. Sec. 101a #2015-5, U.S.C. Sec. 1746)

I, Joseph Horne, am a resident of ~~Pelican Bay State Prison~~ <sup>K.V.S.Q.</sup>, in the County of Del Norte, State of California. I am over the age of eighteen (18) years and am a party to this action.

My State Prison address is: ~~Pelican Bay State Prison~~ <sup>K.V.S.Q.</sup>, P.O. Box ~~7500~~ <sup>5102</sup>, Housing Unit B-8 Cell Number 215, ~~Crescent City~~ <sup>Delano</sup>, CA ~~95532-7500~~ <sup>93216</sup>.

On the 24 day of January, 2008, I served the following (set forth the exact title of document[s] served):

Petitioner's C.O.A. From The District  
court; And statements of reason  
in support.

On the party(s) herein by placing a true copy(s) thereof, enclosed in a sealed envelope(s), with postage thereon fully paid, in the United States mail, in a receptacle so provided at ~~Pelican Bay State Prison~~ <sup>K.V.S.Q.</sup>, ~~Crescent City~~ <sup>93216</sup>, CA ~~95532~~, and addressed as follows:

U.S. District court  
of Northern District  
of California.

1301 Clay St. Suite 4005  
Oakland, CA 94612-5212

I declare under penalty of perjury that the foregoing is true and correct:

[Signature]  
 Inmate Signature

1/24/08  
 Date